

1 **Insperty Retirement Services**

2 GARNISHEE NAME

3 **Attn: Legal Department**

4 GARNISHEE ADDRESS

5 **P.O. Box 1988**

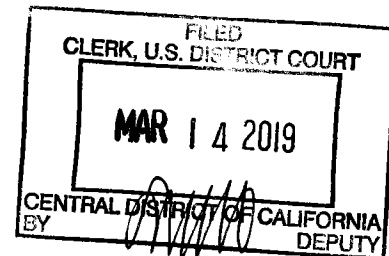
6 **Kingwood, Texas 77347-1988**

7 **281-312-3485**

8 GARNISHEE TELEPHONE

9 **doug.sivula@insperity.com**

10 GARNISHEE EMAIL



11 **UNITED STATES DISTRICT COURT**
12 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

13 **UNITED STATES OF AMERICA,**

14 **Plaintiff,**

15 **v.**

16 **VINCENT JOHN RABIOLA,**

17 **Defendant.**

18 **No. CV 18-10588-SJO**

19 **[CR 99-0188-MMM-4]**

20 **ANSWER OF GARNISHEE**
21 **INSPERITY RETIREMENT**
22 **SERVICES**

DECLARANT STATES:

My name is John Stanton and my address and telephone number are 19001 Crescent Springs Drive, Kingwood, Texas 77339; and 281-348-3749.

1. I am authorized to make this declaration on behalf of Garnishee Insperty Retirement Services, L.P. regarding the writ of continuing garnishment received by Garnishee on or about January 29, 2019.

IF GARNISHEE IS AN INDIVIDUAL:

N/A is the Garnishee herein, doing business in the name of

IF GARNISHEE IS A PARTNERSHIP:

The person making this declaration is Vice President, Retirement Services Operations of the Garnishee, which is a partnership conducted under the name of Insperty Retirement Services, L.P. at Kingwood, Texas.

IF GARNISHEE IS A CORPORATION:

The person making this declaration is the N/A of (OFFICIAL TITLE) Garnishee a corporation, organized under the laws of the State of .

2. As of [date] March 4, 2019, Garnishee has custody, control, or possession of the following funds, assets, and/or property, in which Defendant has a nonexempt interest:

<u>Description of Property</u>	<u>Approximate Value</u>	<u>Description of Defendant's Interest in Property</u>
a. <u>401(k) Account</u>	<u>\$47,895.58</u>	<u>Recordkeeper of Insperty 401(k) Plan</u>
b. <u></u>	<u></u>	<u></u>
c. <u></u>	<u></u>	<u></u>
d. <u></u>	<u></u>	<u></u>

3. Garnishee anticipates owing to Defendant in the future, the following amounts:

	<u>Amounts</u>	<u>Estimate Date or Period Due</u>
a.	\$ <u>N/A</u>	<u></u>
b.	\$ <u></u>	<u></u>
c.	\$ <u></u>	<u></u>

4. Is Defendant subject to an existing garnishment or levy? ☐ Yes ☒ No

If yes, what is the outstanding amount now due and owing? \$.

5. If Garnishee is unable to determine the identity of Defendant after making a good faith effort to do so, the following is a statement of Garnishee's efforts made and the reasons for such inability: N/A

6. Garnishee owed Defendant the sum of \$ \$47,807.94 on the date the writ of continuing garnishment was served for the following reasons:

Balance available for distribution from 401(k) account in the Insperity 401(k) Plan.

7. On [date] January 29, 2019, Garnishee commenced withholding and retaining Defendant's nonexempt assets, funds, and/or property and will continue to withhold and retain such nonexempt assets, funds, and/or property until further order from the Court.

8. Garnishee mailed a copy of this answer by first-class mail on this date to:
(a) Defendant, at the address provided by the United States of America and (b) The U.S. Attorney's Office for the Central District of California, ATTN: Financial Litigation Section, Suite 7516, Federal Building, 300 N. Los Angeles St., Los Angeles, California 90012.

I declare under penalty of perjury that I have read the foregoing document and that the statements made therein are true and correct. Executed on March 4, 2019.


SIGNATURE OF DECLARANT

PROOF OF SERVICE BY MAILING

I, Erin Delagarza, declare:

I am over the age of eighteen and am not a party to the above-entitled action;

That I am employed by Insperty herein was made;

that on March 4, 2019 [Date], I deposited in the above-entitled action, in an

envelope bearing the requisite postage, a copy of **ANSWER OF GARNISHEE**

INSPERITY RETIREMENT SERVICES addressed to:

U.S. Attorney's Office for the Central District of California

ATTN: Financial Litigation Section

Room 7516AA, Federal Building

300 North Los Angeles Street

Los Angeles, California 90012

Vincent John Rabiola


Beverly Hills, California 90212-3017

at their last known address provided by the United States, at which place there is a
delivery service by U.S. Mail.

This Certificate is executed on March 4, 2019 [Date], at

Kingwood [City], Texas [State].

I certify under penalty of perjury that the foregoing is true and correct.


Signature



Erin Delagarza
Legal Administrative Assistant
PHONE: (281) 348-3915 | FAX: (281) 358-3908
Email: erin.delagarza@insperity.com

March 5, 2019

VIA Certified Mail

Edward R. Roybal Federal Building and U.S. Courthouse
District Court Clerk's Office
255 East Temple Street
Los Angeles, CA 90012-3332

**Re: *Writ of Continuing Garnishment*
 United States v. Rabiola
 *No. CV-18-10588-SJO [CR 99-0188-MMM-4]***

Mr. Roybal,

Enclosed is a copy of the Answer of Garnishee Insperity Retirement Services and the Proof of Service by Mailing in the above referenced matter.

Sincerely,

A handwritten signature in black ink that reads "Erin Delagarza". The signature is written in a cursive, flowing style.

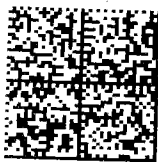
Erin Delagarza

/encl.

INSPERITY, INC.
19001 Crescent Springs Drive
Kingwood, Texas 77339-3802



7017 1450 0001 7132 5015



U.S. POSTAGE
ZIP 77032
02 1W
0001403374 MR 05

\$ 0066

Case 2:18-cv-10588-SJO Document 19 Filed 03/14/19 Page 6 of 6 Page ID #:164

SDO



19001 Crescent Springs Drive
Kingwood, Texas 77339-3802

inspirity.com

Edward R. Roybal Federal Building
and U.S. Courthouse
District Court Clerk's Office
255 East Temple Street
Los Angeles, CA 90012-3332

